

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

IN RE: Phillip Brickhouse, Jr.,
Gale Brickhouse
Debtors.

CASE NO.: 11-70223-SCS

Chapter 13

AMENDED MOTION TO MODIFY MORTGAGE LOAN

TO THE HONORABLE JUDGE STEVEN ST. JOHN:

COME NOW Phillip and Gale Brickhouse, Debtors, by counsel and moves the Court for authority to modify their mortgage loan, and in support thereof states as follows:

- 1) Debtors filed there Chapter 13 Bankruptcy proceedings in this Court on January 19, 2011.
- 2) Debtors filed there Chapter 13 Plan on January 25, 2011, the plan was confirmed on March 16, 2011.
- 3) Debtors desire to modify their current indebtedness by qualifying for a loan modification on their mortgage, the terms of which are as follows:
 - a. Debtor's first mortgage company, Wells Fargo, is offering to capitalize all arrearages and delinquent escrow through May 1, 2013 into the principal of the loan.
 - b. The current principal balance, including the above arrearages, of the loan is \$214,444.68.
 - c. Debtors current mortgage payment is \$1,658.76.
 - d. The effective date of the loan modification will be May 1, 2013.
 - e. The loan will consists of 360 payments and the maturity date of the loan will be May 1, 2043.
 - f. The interest rate will be reduced from 5.625% to 3.250% per year and remain in effect until principal and interest are paid in full.

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- g. The Debtors principal and interest payments will be \$972.49 and estimated total payment \$1,335.40 and will be effective May 1, 2013.
- h. Without the loan modification, Debtors will have no feasible way of filing a Chapter 13 Plan which catches up the mortgage arrears.

3) The legal description of the subject property, located at 833 Shetland Drive, Chesapeake, VA 23322 is as follows:

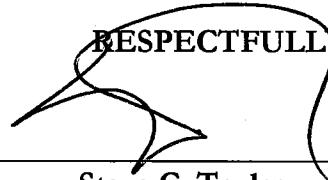
ALL THAT certain lot, piece or parcel of land, with the buildings and improvements thereon and the appurtenances thereunto belonging, lying, situate, and being in the City of Chesapeake, Virginia, and being known, numbered and designated as Lot 7, as set forth on that certain plat entitled "Lots 2 thru 27 inclusive, Section Two, North Landing Farms", made by Baldwin and Greg, dated November 12, 1971, and duly of record in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia, in Map Book 53, at page 5.

IT BEING the same property conveyed to the parties of the first part by deed of Thomas H. Dameron, et ux, dated August 7, 1986 and duly recorded in the Clerk's Office aforesaid in Deed Book 2209, at page 376.

- 4) The Debtors believes that modifying their loan is necessary and proper, that the Debtor is able to repay that loan upon the terms set forth above, and that the purpose for modifying his loan is so that the Debtors will be able to be brought current on their arrearages, will have a lower interest rate, and lower monthly payments.
- 5) That Debtors will submit modified schedules I & J within 21 days of the approval of their loan modification and any other amendments as appropriate. The mortgage payment in the current schedule I was, as noted in the filing, based on a temporary trial modification.
- 6) Wells Fargo will file the proper pleadings withdraw its proof of claim for prepetition arrearages upon approval of his loan modification.

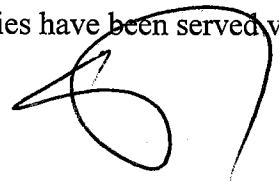
WHEREFORE, the Debtors respectfully request that their Motion to Modify Loan be granted as requested and for the purposes described above.

RESPECTFULLY SUBMITTED,

BY: 
Steve C. Taylor
Counsel for Debtor

CERTIFICATE OF MAILING

I certify that on April 10, 2013, I mailed a copy of the debtor's Motion to Modify Mortgage Loan, to the creditors and parties in interest on the attached Service List in compliance with Fed.R.Bankr.P.7004. Insured depository institutions have been served via certified mail addressed to the officer named on the attached service list. All other parties have been served via first class mail addressed as shown attached list.


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Chapter 13

AMENDED NOTICE OF MOTION TO MODIFY MORTGAGE LOAN

The Debtors have filed papers with Court to Modify their Mortgage.

Your rights may be affected. You should read these papers carefully and discuss them with your Attorney, if you have one in their case. (If you do not have an Attorney, you may wish to consult one.)

If you do not want the Court to grant the Relief requested, or if you want the Court to consider your views on the Motion then, on or before 5/1/13, you or your Attorney must file with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rules 4001(a)-1(C) and 9013-1 (H). You must mail your response to the Court for filing.

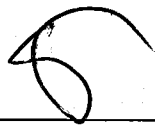
You must also mail a copy to:

Clerk of Court
United States Bankruptcy Court
600 Granby Street, Fourth Floor
Norfolk, VA 23510

Steve C. Taylor
Law Office of Steve C. Taylor, P.C.
133 Mount Pleasant Road
Chesapeake, VA 23322

If you or your Attorney do not take the above step(s), the Court may decide you do not oppose the relief sought in the motion and may enter an Order granting the Motion without further notice or hearing.

Date: 4/10/13

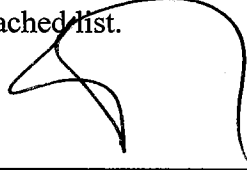


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Document Page 5 of 16
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Las Vegas, NV 89104

Absolute Collection Service
421 Fayetteville St, Ste 600
Raleigh, NC 27601

AFNI
P.O. Box 3427
Bloomington, IL 61702

AFNI (notice)
Bruce F. Griffin, CEO
404 Brock Drive
Bloomington, IL 61702-3097

Alliance Asset Management
330 Georgetown Sq, Ste 104
Wood Dale, IL 60191

Alliance Asset Mgmnt. (Notice)
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1303 Vincent Place
Mc Lean, VA 22101

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Chesapeake, VA 23322

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Torrance, CA 90509

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4701 Cox Rd., Ste. 301
Glen Allen, VA 23060-6802

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Portsmouth, VA 23707

Atlantic Financial Corp. Reg.
Kenneth E. Smith, 3rd Floor
737 J. Clyde Morris Blvd.
Newport News, VA 23601

Bay Area Credit Service
P.O. Box 468269
Atlanta, GA 31146

Bay Area Credit Services
BOA Ctr, 16th Floor
1111 E. Main St.
Richmond, VA 23219

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P.O. Box 1136
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Denver, CO 80237

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Norfolk, VA 23510

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Virginia Beach, VA 23462

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Wilmington, DE 19801

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Newark, DE 19711

Cash Direct Express
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222 Central Park Ave., # 400
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Grand Rapids, MI 49528

Chesapeake Radiologists
Robert J. Berry, Reg. Ag.
150 W. Main St., Ste. 2100
Norfolk, VA 23510

Chesapeake Radiology
P.O. Box 1707
Chesapeake, VA 23327

Chesapeake Region Medical Ctr
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Chesapeake, VA 23320

Chesapeake Regional Med RA
Kaufman & Canoles, P.C.,
501 Independence Pkwy, St. 100
Chesapeake, VA 23320-5173

Chesapeake Regional Med. Ctr.
P.O. Box 2028
Chesapeake, VA 23320

CHKD
601 Children's Lane
Norfolk, VA 23507

CHKD (Health Network) RA
Sherri Mearns Matson
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Norfolk, VA 23507

City of Chesapeake
P.O. Box 16495
Chesapeake, VA 23328

City of Chesapeake (Service)
City Attorney
306 Cedar Road
Chesapeake, VA 23322

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Uniontown, PA 15401

Commonwealth of Virginia
c/o Atty General
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Richmond, VA 23261-7407

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404 Brock Drive
Bloomington, IL 61702

Credit Control Corp
11821 Rock Landing Drive
Newport News, VA 23606

Credit Control Corp. (notice)
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P.O. Box 26666
Richmond, VA 23261-6666

Dominion Virginia Power RA
CT Corp System
4701 Cox Rd, Ste. 301
Glen Allen, VA 23060-6802

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Capital Corporate Services, inc
155 Office Plaza Drive, Ste A
Tallahassee, FL 32301

Enhanced Recovery Corp
8014 Bayberry Road
Jacksonville, FL 32256

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Finance America Corp. RA
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Gastroenterology Associates
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Akron, OH 44333

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 Mooresville, NC 28117

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Chicago, IL 60680-1073

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Philadelphia, PA 19154

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Waynesboro, VA 22980

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Norfolk, VA 23541

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Bentonville, AR 72716-0745

Sam's Club/Discover
P.O.Box 981064
El Paso, TX 79998-1064

Sears
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Sioux Falls, SD 57117-6283

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Appomattox, VA 24522

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Norfolk, VA 23502

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Chesapeake, VA 23320

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Portsmouth, VA 23703

Sleep Disorder Center RA
Carroll O'Ferrall
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Portsmouth, VA 23704

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Kennesaw, GA 30144

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Peabody, MA 01960

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Sure Advance RA
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Norfolk, VA 23502

Tidewater Emergency Med Care
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Portsmouth, VA 23703

Tidewater Neurologists
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Twiford Colonial Chapel
Sam Twiford, Director
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Richmond, VA 23218

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Houston, TX 77074

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Wells Fargo Home Mortgage
Mike Heid, President
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